

REMARKS

Applicants have carefully reviewed this Application in light of the Office Action mailed May 20, 2005. Claims 9-10, 16-17, 34-35, 38, 40-42, 52-53, 59-60, 77-78, 81, 83-85 and 100-101 were previously cancelled without prejudice or disclaimer and Claims 1-8, 11-15, 18-33, 36, 37, 39, 43-51, 54-58, 61-76, 79, 80, 82 and 86-99 are pending in this Application. Claims 1-8, 11-15, 18-33, 36-37, 39, 43-51, 54-58, 61-76, 79-80, 82 and 86-99 stand rejected under 35 U.S.C. § 103. Applicants have amended Claims 1, 44 and 87 to further define various features of Applicants' invention. Applicants respectfully request reconsideration and favorable action in this case.

Rejections Under 35 U.S.C. § 103

Claims 1-8, 11-12, 14-15, 18, 24-29, 32-33, 36, 44-51, 54-55, 57-58, 61, 67-72, 75-76, 79, 87-88, 90-92, 94 and 96-98 stand rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,327,486 issued to Richard S. Wolff et al. ("*Wolff*"), and also over U.S. Patent 6,373,817 issued to Fen-Chung Kung et al. ("*Kung*").

Claims 13, 37, 56, 80 and 93 stand rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over the combination of *Wolff* and *Kung*, and also over U.S. Patent No. 5,758,280 issued to Misa Kimura ("*Kimura*").

Claims 19-23, 30-31, 39, 43, 62-66, 73-74, 82, 86, 89, 95 and 99 stand rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over the combination of *Wolff* and *Kung*, and also over U.S. Patent No. 5,933,778 issued to Michael Buhrmann et al. ("*Buhrmann*").

Wolff discloses a method and system for managing telephone calls utilizing two-way wireless or wireline messaging.

Kung discloses methods for routing Internet broadband communications between or among users no matter where the called party may be. A chase me system provides alternative routing for multimedia communication to a user based on a chase me schedule. (Col. 3, Lines 57-62). The user may identify an address for an IP or telephone communication and details of a schedule for receiving communications at different addresses. (Col. 34, Lines 22-25).

Claim 1, as amended, recites a method comprising the step of “receiving, via a user interface of a mediation subscriber communication device associated with a first party, a designation of an availability status of the first party, the availability status indicating an availability of the first party for receiving an incoming communication at the mediation subscriber communication device.”

Claim 44, as amended, recites a computer program product capable of “receiv[ing], via a user interface of a mediation subscriber communication device associated with a first party, a designation of an availability status of the first party, the availability status indicating an availability of the first party for receiving an incoming communication at the mediation subscriber communication device.”

Claim 87, as amended, recites a system capable of “receiving, via a user interface of the mediation subscriber communication device, a designation of an availability status of the first party, the availability status indicating an availability of the first party for receiving an incoming communication at the mediation subscriber communication device.”

Applicants respectfully submit that the cited references fail to disclose every element of Applicants’ invention as amended. Further, there is no motivation, teaching, or suggestion to combine *Wolff* and *Kung*. *Wolff* and *Kung*, alone or in combination, fail to teach at least “receiving, via a user interface of a mediation subscriber communication device associated with a first party, a designation of an availability status of the first party, the availability status indicating an availability of the first party for receiving an incoming communication at the mediation subscriber communication device,” as recited by amended Claim 1. Additionally, *Wolff* and *Kung* fail to teach a computer program product capable of enabling a mediation subscriber device to “receive, via a user interface of a mediation subscriber communication device associated with a first party, a designation of an availability status of the first party, the availability status indicating an availability of the first party for receiving an incoming communication at the mediation subscriber communication device,” as recited by amended Claim 44. Further, *Wolff* and *Kung* fail to teach or suggest a system for facilitating mediated virtual communication capable of “receiving, via a user interface of the mediation subscriber communication device, a designation of an availability status of the first party, the availability status indicating an availability of the first party for receiving an

incoming communication at the mediation subscriber communication device,” as recited by amended Claim 87. The cited references

Given that Claims 2-8, 11-15, 18-33, 36, 37, 39 and 43 depend from Claim 1, Claims 43-51, 54-58, 61-76, 79, 80, 82 and 86 depend from Claim 44, and Claims 88-99 depend from Claim 87, Applicants respectfully submit that Claims 2-8, 11-15, 18-33, 36-37, 39, 43, 45-51, 54-58, 61-76, 79-80, 82, 86, and 88-99 are allowable. As such, Applicants respectfully request that the Examiner withdraw the rejections and allow Claims 1-8, 11-15, 18-33, 36-37, 39, 43-51, 54-58, 61-76, 79-80, 82 and 86-99.

CONCLUSION

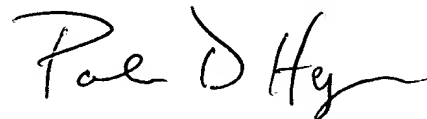
Applicants appreciate the Examiner's careful review of the application. Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. For the foregoing reasons, Applicants respectfully request reconsideration of all pending Claims 1-8, 11-15, 18-33, 36-37, 39, 43-51, 54-58, 61-76, 79-80, 82 and 86-99, as amended.

Applicants believe there are no fees due, however, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2581.

Respectfully submitted,

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